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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,120	03/30/2001	Gabriel G. Montero	RSW9-2001-0063-US1	9260
46270 7590 01/06/2009 (SAUL-RSW) PATENT DOCKETING CLERK IBM Corporation (SAUL-RSW) C/O Saul Ewing LLP Penn National Insurance Tower 2 North Second Street, 7th Floor Harrisburg, PA 17101			EXAMINER  GOLD, AVIM	
			ART UNIT  2457	PAPER NUMBER
			MAIL DATE  01/06/2009	DELIVERY MODE  PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/823,120

Applicant(s)

MONTERO ET AL.

Examiner

AVI GOLD

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18 and 20-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18 and 20-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Final Drawing Review (PTO-640)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

This action is responsive to the amendment filed on September 26, 2008. Claim 18 was amended. Claims 1-17 and 19 were cancelled. Claims 18 and 20-24 are pending.

#### ***Response to Amendment***

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18-22 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Courts et al., U.S. Patent No. 6,076,108, further in view of Prabandham et al., U.S. Patent No. 6,701,438.

Courts teaches the invention substantially as claimed including a system and method for maintaining states for user sessions with a web system (see abstract).

As to claim 18, Courts teaches a server system comprising:

at least one server including a local memory (col. 9, lines 30-35, Courts discloses state information stored as session data in the session cache);

a memory having a database, said memory being accessible (col. 9, lines 36-52, Courts discloses session data stored in a global session server after the web page is built);

a first computer program adapted to store in a memory local to said server running (col. 9, lines 30-52);

a second computer program adapted to write to said database a copy at designated times, said designated times determined as a function of the number of times an request in a session is serviced (col. 9, lines 30-52, Courts discloses session data updated after completion of processing a request).

Courts fails to teach the limitation further including a plurality of Java Virtual Machines (JVMs) running on at least one server; storing HttpSession objects for http sessions being handled by JVMs; a program storing JVM HttpSession data for each http session handled by said JVM; and writing a copy of the HttpSession data for each http session.

However, Prabandham teaches methods and apparatus for providing customizable security and logging modules in a server environment (see abstract). Prabandham teaches the use of Java servlets, dealing with http requests, in Java Virtual Machines on servers (col. 5, lines 42-67; col. 6, lines 1-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Courts in view of Prabandham to use a plurality of Java Virtual Machines (JVMs) running on at least one server; storing HttpSession objects for http sessions being handled by JVMs; a program storing JVM HttpSession data for each http

session handled by said JVM; and writing a copy of the HttpSession data for each http session. One would be motivated to do so because it allows for dynamic content and interactivity.

Regarding claim 19, Courts and Prabandham teach the server system of claim 18 wherein said second computer program is adapted to write said HttpSession object data to said database after X HttpSession updates in said local memory, where X is an integer greater than or equal to 2 (Courts, col. 9, lines 30-52).

Regarding claim 20, Courts and Prabandham teach the server system of claim 18 wherein said second computer program is adapted to write said HttpSession object data to said database after X http requests in said http sessions, where X is an integer greater than or equal to 2 (Courts, col. 9, lines 30-52).

Regarding claim 21, Courts and Prabandham teach the server system of claim 18 further comprising a third computer program adapted to store in said database a copy of said HttpSession object data for each said http session at the time the http session is created (Courts, col. 9, lines 30-52).

Regarding claim 22, Courts and Prabandham teach the server system of claim 21 wherein said plurality of JVMs are running on a plurality of servers (Prabandham, col. 5, line 42 - col. 6, line 7).

Regarding claim 24, Courts and Prabandham teach teaches the server system of claim 18 wherein said writes to said database are performed at the end of a first servlet service method of a corresponding http session received after said designated time (Prabandham discloses an http response logged at the end of a servlet, col. 6, lines 8-14).

3. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Courts and Prabandham further in view of Ng et al., U.S. Patent No. 6,745,387.

Courts teaches the invention substantially as claimed including a system and method for maintaining states for user sessions with a web system (see abstract). Prabandham teaches the invention substantially as claimed including methods and apparatus for providing customizable security and logging modules in a server environment (see abstract).

As to claim 23, Courts and Prabandham teach the server system of claim 22.

Courts and Prabandham fail to teach the limitation further wherein said Java servlet APIs are J2EE servlet APIs.

However, Ng teaches the use of J2EE (col. 3, lines 8-28).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Courts and Prabandham in view of Ng to use J2EE servlet APIs. One would be motivated to do so because it is a well-known and used platform for constructing Java technology based applications.

***Response to Arguments***

4. Applicant's arguments with respect to claims 18 and 20-24 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,385,642 to Chlan et al.

U.S. Pat. No. 5,951,643 to Shelton et al.

U.S. Pat. No. 6,098,093 to Bayeh et al.

U.S. Pat. No. 6,052,730 to Felciano et al.

U.S. Pat. No. 6,615,235 to Copeland et al.

U.S. Pat. No. 6,308,212 to Besaw et al.

U.S. Pat. No. 6,684,390 to Goff

U.S. Pat. No. 6,584,548 to Bourne et al.

U.S. Pat. No. 6,178,439 to Feit

U.S. Pat. No. 6,539,494 to Abramson et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AVI GOLD whose telephone number is (571)272-4002. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

AMG

/ARIO ETIENNE/  
Supervisory Patent Examiner, Art Unit 2457